

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MARK B. HARRIS,

Plaintiff,

v.

JOSEPH LEHMAN,

Defendant.

Case No. C05-5379 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Plaintiff's Appeal [Dkt. #36] of the Magistrate Judge's Order Imposing Sanctions.

Having considered the entirety of the records and file herein, the Court rules as follows:

On August 28, 2006 Magistrate Judge J. Kelley Arnold entered an Order directing plaintiff to pay defendant \$152.84 in costs. The costs were imposed as a sanction because plaintiff had abused the discovery process and had violated Fed. R. Civ. P. 11. On September 20, 2006 plaintiff filed his appeal (dated September 18, 2006) to this Court. Pursuant to MJR 12, Local Rules W.D. Wash., plaintiff's appeal must be filed within ten (10) days. Plaintiff filed this appeal twenty-one days after the Order was entered. Allowing time for mailing of documents under the Federal Rules, plaintiff's appeal is not timely and as such is **DISMISSED**.

**IT IS SO ORDERED.**

1 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing  
2 pro se.

3 Dated this 4<sup>th</sup> day of October, 2006.

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5 RONALD B. LEIGHTON  
6 UNITED STATES DISTRICT JUDGE  
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